# NOMINATING CANDIDATES FOR STATE AND FEDERAL OFFICES

#### President

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective national and state party conventions.

Candidates without party affiliation must file petitions to qualify for a position on the general election ballot. The qualifying petitions must be signed by registered and qualified electors of the state equal to not less than 1% of the total number of votes cast for all candidates for governor at the last election at which a governor was elected. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 congressional districts of the state. Only signatures that are obtained within 180 days immediately preceding the date of filing the qualifying petitions are valid.

### Eligibility Requirements

Article II of the U.S. Constitution provides . . . "No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty five Years, and been fourteen Years a Resident within the United States."

#### Vice-President

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective national and state party conventions.

Candidates without party affiliation for this office are nominated by the candidate without party affiliation who filed qualifying petitions for the office of president.

### Eligibility Requirements

Article XII of the U.S. Constitution provides that "... no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States."

## Electors of President and Vice-President

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective national and state party conventions.

Candidates without party affiliation are nominated by the candidate without party affiliation who filed qualifying petitions for the office of president.

The number of persons nominated is equal in number to the number of U.S. Senators and Representatives in Congress this state is entitled.

## Eligibility Requirements

Sec. 41. No person shall be eligible to be an elector of president and vice-president who shall not have been a citizen of the United States for at least 10 years and a resident and registered elector of the congressional district for an elector representing a congressional district, or of the state, for an elector representing the state at large for at least 1 year prior to the election. No senator or representative, or person holding an office of trust or profit under the United States, shall be appointed an elector, as provided in section 1 of article 2 of the United States constitution. MCL §168.41.

## Governor; United States Senator

Candidates of the Democratic, Republican, and other political parties required to nominate candidates at a primary are nominated at the August primary election.

To qualify for a position on the August primary ballot, the candidates of these parties are required to file partisan nominating petitions, signed by a number of qualified and registered electors residing in this state, equal to not less than 1% nor more than 2% of the number of votes cast by the party for secretary of state at the last preceding November election in which a secretary of state was elected. In addition the nominating petitions must be signed by at least 100 registered resident electors in each of at least 1/2 of the congressional districts of the state.

Political parties that qualify for a position on the November general election ballot, but are not eligible to nominate candidates at the August primary, nominate candidates at their respective state party conventions.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the general election ballot. The qualifying petitions must be signed by registered and qualified electors of the state equal to not less than 1% of the total number of votes cast for all candidates for governor at the last election in which a governor was elected. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 of the congressional districts of the state. Only signatures which are obtained within 180 days before the date of filing the qualifying petitions are valid.

## Eligibility Requirements

- Sec. 22. To be eligible for the office of governor or lieutenant governor a person must have attained the age of 30 years, and have been a registered elector in this state for four years next preceding his election. Const. 1963, art. 5, \$22.
- Sec. 51. A person shall not be eligible to the office of governor or lieutenant governor unless the person has attained the age of 30 years and has been a registered and qualified elector in this state for 4 years next preceding his or her election, as provided in section 22 of article 5 of the state constitution of 1963. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of governor or lieutenant governor for a period of 20 years after the conviction. MCL §168.51.
- Sec. 91. A person shall not be a United States senator unless the person has attained the age of 30 years and has been a citizen of the United States for 9 years, and is, when elected, an inhabitant of that state for which he or she shall be chosen as provided in section 3 of article 1 of the United States constitution. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of United States senator for a period of 20 years after conviction. MCL §168.91.

#### Lieutenant Governor

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective national and state party conventions.

Candidates without party affiliation for this office are nominated by the candidate without party affiliation who filed qualifying petitions for the office of governor.

### Eligibility Requirements

- Sec. 22. To be eligible for the office of governor or lieutenant governor a person must have attained the age of 30 years, and have been a registered elector in this state for four years next preceding his election. Const. 1963, art. 5, §22.
- Sec. 51. A person shall not be eligible to the office of governor or lieutenant governor unless the person has attained the age of 30 years and has been a registered and qualified elector in this state for 4 years next preceding his or her election, as provided in section 22 of article 5 of the state constitution of 1963. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of governor or lieutenant governor for a period of 20 years after the conviction. MCL §168.51.

# Secretary of State; Attorney General; Members of the State Board of Education; Regents of the University of Michigan; Trustees of Michigan State University: Governors of Wayne State University

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective national and state party conventions.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the November general election ballot. The qualifying petitions must be signed by registered and qualified electors of the state equal to not less than 1% of the total number of votes cast for all candidates for governor at the last election in which a governor was elected. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 of the congressional districts in this state. Only signatures which are obtained within 180 days immediately before the date of filing the qualifying petitions are valid.

## Eligibility Requirements

Sec. 71. A person shall not be eligible to the offices of secretary of state or attorney general if the person is not a qualified elector of this state. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the offices of secretary of state or attorney general for a period of 20 years after conviction. MCL §168.71.

(Note: Candidates for the office of attorney general must be licensed to practice law in this state.)

Sec. 281. A person shall not be eligible to membership on the state board of education, the board of regents of the university of Michigan, the board of trustees of Michigan state university, or the board of governors of Wayne state university if the person is not a registered and qualified elector of this state. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to membership on any of the boards enumerated in this section for a period of 20 years after conviction. MCL §168.281.

## U.S. Representative; State Senator; State Representative

Candidates of the Democratic, Republican, and other political parties required to nominate candidates at a primary are nominated at the August primary election.

To qualify for a position on the August primary ballot, the candidates of these parties file partisan nominating petitions signed by a number of qualified and registered electors residing in the district, equal to not less than 1% nor more than 2% of the number of votes cast by the party, in the district, for secretary of state at the last preceding November general election in which a secretary of state was elected. Congressional candidates must file nominating petitions. State senate and state representative candidates may file a \$100.00 filing fee in lieu of nominating petitions.

Political parties that qualify for a position on the November general election ballot, but are not eligible to nominate candidates at the August primary, may nominate candidates for these offices at their respective county caucuses and/or state conventions.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the November general election ballot. The qualifying petition must be signed by a number of qualified and registered electors of the district equal to not less than 2% of the total number of votes cast for all candidates for governor in the district at the last election in which a governor was elected. Only signatures which are obtained within 180 days immediately before the date of filing the qualifying petitions are valid.

## Eligibility Requirements

Sec. 7. Each senator and representative must be a citizen of the United States, at least 21 years of age, and an elector of the district he represents. The removal of his domicile from the district shall be deemed a vacation of the office. No person who has been convicted of subversion or who has within the preceding 20 years been convicted of a felony involving a breach of public trust shall be eligible for either house of the legislature. Const. 1963, art. 4, §7.

Sec. 8. No person holding any office, employment or position under the United States or this state or a political subdivision thereof, except notaries public and members of the armed forces reserve, may be a member of either house of the legislature. Const. 1963, art. 4, §8.

Sec. 131. A person shall not be a representative unless the person has attained the age of 25 years and been a citizen of the United States for 7 years, and is, when elected, an inhabitant of that state in which he or she shall be chosen, as provided in section 2 of article 1 of the United States constitution. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of representative in congress for a period of 20 years after conviction. MCL \$168.131.

Sec. 161. A person shall not be eligible to the office of state senator or representative unless the person is a citizen of the United States and a qualified elector of the district he or she represents, as provided in section 7 of article 4 of the state constitution of 1963. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible to the office of state senator or representative for a period of 20 years after conviction. MCL \$168.161.

# Justice of Supreme Court

Incumbent justices of the supreme court who are seeking reelection may file an affidavit of candidacy to qualify for a position on the November general election ballot.

Democratic, Republican, and other political parties that qualify for a position on the November general election ballot nominate candidates at their respective state party conventions.

Candidates without party affiliation must file qualifying petitions to qualify for a position on the November general election ballot. The qualifying petitions must be signed by registered and qualified electors of the state equal to not less than 1% of the total number of votes cast for all candidates for governor at the last election in which a governor was elected. In addition, the qualifying petitions must be signed by at least 100 registered electors in each of at least 1/2 of the congressional districts. Only signatures which are obtained within 180 days immediately before the date of filing the qualifying petitions are valid.

#### Eligibility Requirements

Sec. 19. The supreme court, the court of appeals, the circuit court, the probate court designated as such by the legislature shall be courts of record and each shall have a common seal. Justices and judges of courts of record must be persons who are licensed to practice law in this state. No person shall be elected or appointed to a judicial office after reaching the age of 70 years. Const. 1963, art. 6, §19.

Sec. 391. A person shall not be eligible to the office of justice of the supreme court unless the person is a qualified elector of this state, is licensed to practice law in this state, and at the time of election or appointment is less than 70 years of age. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible for election or appointment to the office of justice of the supreme court for a period of 20 years after conviction. MCL §168.391.

# Judge of Court of Appeals; Judge of Circuit Court; Judge of District Court

Incumbent judges seeking reelection may file an affidavit of candidacy to qualify for a position on the August primary ballot.

Other candidates for these offices are required to file nonpartisan nominating petitions. Candidates for judge of the court of appeals and district courts are required to file nonpartisan nominating petitions signed by registered and qualified electors residing in the judicial district equal to not less than 1/2 of 1% nor more than 2% of the total number of votes cast in the district for secretary of state at the last preceding November general election in which a secretary of state was elected.

Candidates for judge of the circuit court are required to file nonpartisan nominating petitions signed by a number of qualified and registered electors residing in the circuit equal to not less than 1% nor more than 2% of the total number of votes cast in the circuit for secretary of state at the last preceding November general election in which a secretary of state was elected. In counties which have 1,000,000 inhabitants or more, the petitions shall contain not less than 5,000 nor more than 20,000 signatures.

## Eligibility Requirements

- Sec. 19. (1) The supreme court, the court of appeals, the circuit court, the probate court and other courts designated as such by the legislature shall be courts of record and each shall have a common seal. Justices and judges of courts of record must be persons who are licensed to practice law in this state.
- (2) To be qualified to serve as a judge of a trial court, a judge of the court of appeals, or a justice of the supreme court, a person shall have been admitted to the practice of law for at least 5 years. This subsection shall not apply to any judge or justice appointed or elected to judicial office prior to the date on which this subsection becomes part of the constitution.
- (3) No person shall be elected or appointed to a judicial office after reaching the age of 70 years. Const. 1963, art. 6, §19.
- Sec. 409. A person shall not be eligible for the office of judge of the court of appeals unless the person is a qualified elector of the appellate court district in which election is sought, is licensed to practice law in this state, and, at the time of election or appointment, is less than 70 years of age. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible for election or appointment to the office of judge of the court of appeals for a period of 20 years after conviction. MCL §168.409.
- Sec. 411. A person shall not be eligible to the office of judge of the circuit court unless the person is a qualified elector of the judicial circuit in which election is sought, as provided in section 11 of article 6 of the state constitution of 1963, is licensed to practice law in this state, and, at the time of election, is less than 70 years of age. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible for election or appointment to the office of judge of the court of appeals for a period of 20 years after conviction. MCL §168.411.
- Sec. 467. A person shall not be eligible for the office of judge of the district court unless the person is a qualified elector of the judicial district and election division in which election is sought, is licensed to practice law in this state, and, at the time of election or appointment, is less than 70 years of age. A person who has been convicted of a violation of section 12a(1) of Act No. 370 of the Public Acts of 1941, being section 38.412a of the Michigan Compiled Laws, shall not be eligible for election or appointment to the office of judge of the court of appeals for a period of 20 years after conviction. MCL §168.467.